

1857-011

Chancery Causes: Thomas M Ward & Sarah Frances Ward vs Francis Ward's admr,

Isle of Wight County

Mary E. Ward & Caroline V. Ward, by & c

I know all men by these presents that I Benjamin
Ward am held and firmly bound unto the Commonwealth
of Virginia in the sum of Two thousand dollars,
for the payment whereof I bind myself & my heirs
executors & administrators firmly by these presents.
Sealed with my seal & dated this 9th. day of
November 1850. The condition of this obligation
is such that whereas by decree of the County Court
of Lee & Taylor's County made on the 4th. day of
November 1850 the suit of Thomas M. Ward vs.
against Benj^d. Ward adm^r. of Francis Ward
Mary E. Ward & Jacob G. Ward^{Dees} in said Court
pending, the said Benjamin Ward is appointed
a commissioner to see the negro in the said
decree & proceedings mentioned. Now if the
said Benjamin Ward Commissioner shall
truly & faithfully perform his duties as Com-
missioner under said decree according to
the request thereof to the law & equity, then
this obligation to be void, else to remain
in full force & virtue.

Witness
my hand
N. P. Goring

Benj^d Ward 

Ward's
m. $\frac{1}{2}$ Cent. Bone

Ward's aout. t.

Ep. g. Nov. 1830.

Wash
p. 100
Wash.

Sept. 1887

To be entered
G. W. C. and Co.

Ent. 1

Thomas M. Ward & Sarah Frances Ward }
 v }
 Mary E. Ward & Caroline Ward } Dece

This cause came on again to be heard on the proper party
 had, and was argued by counsel. And it appearing to the Court
 that the money decreed to be paid by the Norfolk Savings Bank
 on the Certificate of Deposit bearing date the 11th March 1852
 wherein it was stated that Benjamin Ward had on that day
 deposited to the Credit of List of Frances M. Ward & other
 Mary E. Ward & Caroline M. Ward the sum of \$4,95.64
 being the amount collected on two Bonds in said Certificate men-
 tioned, was not paid by the said Norfolk Savings (Bank) or Institution
 agreeably to the decree entered therein on the 7th day of September
 1857, in consequence of the deposit ^{being} made to the Credit of
 Sarah Frances M. Ward & other Mary E. Ward & Caroline M. Ward &
 other, which appeared thereby to be a different list from the one in which
 the said order of 7th September 1857 was made, and because also
 in said last mentioned order, the said Certificate was therein
 mentioned as having been made in the Norfolk Savings Bank
 instead of the "Norfolk Savings Institution" &c. On consideration
 whereof the Court doth ordered it to be certified, as it does hereby declare
 that the list mentioned in said Certificate of Deposit, under the
 style of Frances M. Ward & other Mary E. Ward, Caroline Ward
 & other, is the identical and same list, as this, or the one in which
 the said order of 7th September 1857 was entered, ^{there being a mistake made in the style of said list} and to whose Credit
 the said sum was deposited; and the Court doth order
 that the said "Norfolk Savings Institution" do pay the said
 sum of money, mentioned ^{in the said Certificate of deposit} in the said order of the 7th
 September 1857, according to the terms, condition & tenor thereof.

Hard oak
+ some
Hard wood

Dec. 7. 1857

To be entered

W. Marking

Ward & Ward
v

Ward-and. of James Ward

}

This cause came on again to be
heard on the papers formerly read on the report of Comptroller
Ward. to which no exception has been filed - and was argued
by counsel on a consideration whereof the court with confidence
satisfy its report. - confirms the foregoing of the ably-specified.
In the former decree before pronounced - and it appearing to
the court, that the parties ~~interested~~ are not residents of the state
and that Mary E. Ward a resident of North Carolina -
has no guardian - and Caroline V. Ward, (both infants) have no
guardian in the state. - both order that Benjamin Ward the
Comptroller of the, deposits in the Norfolk Savings Institution
the sum of \$221.08 being the portion of Mary E. Ward, and \$221.08, the
portion or share of Caroline V. Ward, to their credit respectively, and also
to the credit of this cause - and the certificates of said deposits
return to the court & filed with the papers of the cause, per the
written order of the court - - -

Massachusetts
P. Hartman

1861

Ward's distributee

v.

Ward's administratrix.

In case in Chancery

On motion Nathaniel P. Young is appointed guardian ad litem to defend the infant defendant: and this cause ~~came~~ ^{on to be} was this day docketed by consent of parties, and came on to be heard on the 11th & 12th ~~was~~ ^{was} argued by counsel: On consideration whereof the Court doth order & decree, that Benjamin Ward who is hereby appointed a commissioner for such purpose, after giving 20 days notice ^{of the} ~~and~~ ^{of the} of sale, by advertisements of the sale of the said slaves & other valuable places near the premises - and having executed bond in the penalty of \$2000. conditioned for the faithful performance of his duties he will expose to public auction to the highest bidder on a credit ^{of six months} or for cash as the interest of the parties may require the negroes Nancy, Isaac, Nelson & Newton in the bill mentioned belonging to the estate of his Honor's said decd. & pay over the proceeds, or bond if taken to the parties, or to the Guardians of the infant - in equal portions, that is to say 1/4 to each party entitled after deducting the expense of sale & suit - ~~but the administratrix~~ & upon the execution of the usual returning issues to the administratrix.

Thomas M Ward, and Sarah F Ward Plffs.
 (against) J In Chancery.
 Benjamin Ward admr. of Francis Ward decd.
 May & Ward Sotter. Defts.

Pursuant to a decree of the County Court of Isle of Wight pronounced in this cause, on the 4th. of November 1850, The undersigned, a Commissioner thereby appointed for the purpose, after having executed his bond in the Clerk's office as required by said decree, and advertised the time and place of sale, did on the 11th. day of December 1850 sell at public auction to the highest bidder, ~~the~~ for cash, the Negroes Nancy, ~~Sarah~~, Nelson and Ruben for the gross sum of \$1212.50
 Isaac ^{my old & worthless} was sold to Wm A. Stott at this

Sums less than nothing (or to keep him)	55.00
Total amt. of Sale, less sum paid for keeping Isaac	1147.50
Comm ⁿ on \$300 @ 5 p. ct.	\$15.00
Comm ⁿ on 912.50 " " " "	18.25
Costs of Suit	15.00
	48.25

Nett balance of Sale, less into Court. \$1099.25
 The undersigned further reports that he is the admor. of the said Francis Ward, that after the decree aforesaid was obtained, there were debts and demands produced against the estate which he had to pay, amounting to \$215.00 for which the negroes aforesaid were bound or liable, that in consequence thereof, he has not distributed the above balance as directed & now desires the Court to decree that he as the admor. shall pay the said amt. of \$215.00 and after deducting that amt. from the balance aforesaid of \$1099.25 - pay the surplus to the heirs as directed in the decree aforesaid.

Respectfully Submitted.

Benjⁿ Ward Com.

Nett Amount.

Amount due 4 pmt - \$1884.25

\$221.00

The share of the subscription is \$221.00

The parties of Caroline P. Ward & Mary E. Ward informant
returned to court - report to the order - the other pair are as the
same directed -

Benj^m Ward Secy

Shewen, M. & S. & Co.
m. Bond's office.
Ward's com. to S.

Her of night ant. to ill
the answer of Reg. Ward to a Bill as Quaker
of Friends was on 14th. My Thomas, & Sarah
Ward.

This has proved - saving & rescuing &c. I'm anxious to
 it under of said Rice as he is advised it is material
 for him to answer: say, that he is adv. & opposed of
 the action of the owner - that he does not deny the truth
 stated in said Rice - that the negro will be wanted
 to pay out of his last interest, and has no objection to
 the owner paying for, upon the execution of the decree
 in hand back - in such case my mind: and having
 answered says leave the difficulty ^{with} the estate
 to the estate of the owner. &c. &c.

Bingen Abt. d.

The first & separate account of Mary E. and Caroline
D. was inserted of Francis Ward Esq. of N.Y. Young
the 9th and later appointed to become the 9th and
the 10th and 11th. By the 12th of March, as I saw F. Ward Esq.
the 13th. in N.Y. and

then respondents, by the ad. N. 109 may thin § 5. ad Litteram
Saving & securing N: for answer, say that they are infants - as
opposed to heirs of ~~the~~ ^{their} ~~frances~~ ^{frances} ~~would~~ ^{would} ~~on~~ ^{on} but further
they neither admit or deny; and being under 2 years
they were to submit their interests to the protection of this
honble. Ct. of Chancery and not pay answer -

N. A. Young god. ad Actum

To the undersigned parties of the County Court of Cole County
in Chancery sitting, humbly complaining sheweth unto
your worship, your worship Thomas W. Ward, and Sarah Frances
that one Frances Ward a resident of the County aforesaid departed
this life, on the 11th day of December 1849. intestate, leaving no
widow, seized of a considerable real & personal estate, and
leaving as his heirs and distributees at law, your worship
Thomas W. Ward, and Sarah F. Ward, and
Mary E. Ward and Caroline S. Ward. the last two being
infants under the age of twenty one year. That one Benjamin
Ward as your worship qualified as the executor of the said Frances
Ward do. let. his personal estate in his proper and duly
administered the same. That the negro, Nancy, Isaac,
Wilson, & Reuben in the hands of said administrator are
not wanted to pay debts of no other. That a division in kind
can not be judiciously made of the same, they therefore pray that
this honorable Court will a decree for the sale thereof, and a
distribution of the proceeds among your worship the above named
distributees. That they are unwilling to see in a Court of
Equity where matters are cognizable - that the said neg.
Ward do. as guardian, and Mary E. and Caroline S.
Ward be made parties defendant to this petition -
that this honorable Court will grant a decree for the sale of
the negro, and a distribution of the proceeds among those
entitled & grant also other due pay relief as may
be meet and fit to the premises.

Thomas W. Ward &
Sarah F. Ward

Ward. & Son

Ward and Son

Wards

vs. $\frac{2}{3}$ Rice & Co

Wards admors. said.

Nov. 4th. 1830 drawn
for sale of negroes.

March 1. 1832
Ward of Com. B. Wood
made & filed & drawn
to deposit &